



## Fact Sheet Executive Order 13031



Executive Order 13031 was signed by President Bill Clinton on December 13, 1996 to promote Federal alternative fuel vehicle (AFV) leadership.

### **EPACT Requirements Must Be Met Regardless of Budget**

The executive order states that Federal agencies must comply with the AFV acquisition requirements of the Energy Policy Act of 1992 (EPACT) regardless of their budget. Agencies cannot rely on the U.S. Department of Energy (DOE) for incremental funding of AFVs. This executive order **does not** change the EPACT requirements for Federal Fleets.

### **Stronger Reporting Requirements**

The executive order provides enforceable reporting requirements. Previously, DOE reported to the Office of Management and Budget (OMB) on the progress of all agencies in meeting EPACT requirements. Now each agency must submit a yearly report on its progress toward meeting EPACT requirements. Agencies must submit this report to OMB with their budgets. The report must include the number of AFVs procured in the previous fiscal year (FY), those planned for the subsequent two FYs, and fuel use by these AFVs.

This executive order also establishes a penalty for failing to meet the EPACT requirements. If an agency reports to OMB that it did not meet its EPACT requirements for AFVs, it must present a detailed plan for how it will meet that requirement the next year. OMB will review these submissions, with assistance from DOE and the General Services Administration (GSA). If OMB is not satisfied with an agency's plan, it can direct that agency to re-direct funding to meet AFV goals.

The first reports from the agencies have been collected by OMB. Subsequent reports must be submitted with the agency budgets. The September 1997 report will cover FY 97 and plans for FY 98 and FY 99.

### **Credits for Dedicated Medium- and Heavy-Duty AFVs and ZEVs**

The executive order establishes credits for dedicated medium- and heavy-duty AFVs and zero emission vehicles (ZEVs). Currently, only dedicated electric vehicles and dedicated hydrogen vehicles are classified as ZEVs. For the purpose of a Federal agency meeting its EPACT requirements for AFVs:

<b>1 Dedicated Medium-Duty AFV</b> (DOT weight classes 3-6)	<b>=</b>	<b>2 Light-Duty AFVs</b>
<b>1 Dedicated Heavy-Duty AFV</b> (DOT weight classes 7-8)	<b>=</b>	<b>3 Light-Duty AFVs</b>
<b>1 Dedicated ZEV</b>	<b>=</b>	<b>2 Light-Duty AFVs</b>

The credits can be added together. For example, a heavy-duty electric vehicle would get three credits for being heavy-duty, plus two credits for being an electric vehicle, for a total of five. These credits are for Federal Fleets only and cannot be traded or sold to non-Federal fleets.

## Questions and Answers About Executive Order 13031

- Q. Why are the Federal Fleets getting credits for medium- and heavy-duty dedicated AFVs for which State and Fuel Provider Fleets, also covered under EPACT, are not?**
- A. Federal agencies cannot apply for exemptions and incentives that are available to other fleets. These credits were given as their incentive to convert to AFVs. Medium- and heavy-duty AFVs will result in a greater reduction in petroleum usage. For example, a heavy-duty vehicle may use up to five times the amount of fuel on a per mile basis as a light-duty vehicle, so converting a heavy-duty vehicle to alternative fuels could result in five times the oil displacement compared to converting a light-duty vehicle.
- Q. Can a Federal agency sell or trade these credits to State and Fuel Provider Fleets?**
- A. No. The Federal fleet credits are separate from the credits for State and Fuel Provider Fleets under EPACT. The Federal credits are not part of the nationwide credit trading system established under EPACT regulations for State and Fuel Provider Fleets.
- Q. Does the executive order have any "grandfather clause" or credits for vehicles already purchased?**
- A. No, but if an agency fails to meet the EPACT requirements for the previous year, it will not have to make-up the previous year's shortfall in addition to meeting the next year's requirements. The rules and guidelines will allow each agency to start from scratch.
- Q. What is the first date with the new reporting that agencies will be "on the hook" to buy AFVs?**
- A. The executive order covers FY 1996. The Department of Energy, Department of Health and Human Services, Department of Transportation, Executive Office of the President, General Services Administration, National Aeronautics and Space Administration, Office of Personnel Management, and United States Postal Service met their 1996 EPACT requirements for AFV purchases. All other agencies will have to submit detailed plans to OMB on how they plan to meet the 1997 requirements.
- Q. Are General Services Administration (GSA) vehicles counted under GSA or the agency using the vehicle?**
- A. GSA vehicles are reported under the agency that uses the vehicles. Vehicles owned by GSA, but leased to an agency will be reported under the agency that leases the vehicles.
- Q. Are Department of Defense (DOD) vehicles covered?**
- A. DOD is included under EPACT; however, the EPACT exemption of emergency and national security vehicles will exclude many DOD vehicles. DOD will still have to comply with EPACT with its non-excluded vehicles. Most agencies will be looking very closely at the letter of the law about what areas and what vehicles are covered under EPACT.
- Q. Is there any way to ensure that agencies are using alternative fuels, not just converting to bi-fuel vehicles and continuing to run them on gasoline?**
- A. The reporting requirements also include reports on how much alternative fuel they are using. This report must go to OMB, which can decide to re-direct funds if it is not satisfied with the agency's progress toward EPACT goals.
- Q. Is there an effort to place Federal Fleet AFVs within Clean Cities?**
- A. Yes. DOE is already directing Federal Fleets to work with the Coordinator of the Clean Cities where they have fleets.
- Q. Is Executive Order 13031 available on the Internet?**
- A. Yes, the text of the executive order is available on the Alternative Fuels Data Center (AFDC) Home Page on the World Wide Web at the following address: <http://www.afdc.doe.gov>. Information on the EPACT regulations are also available at this website. A listing of the Metropolitan Statistical Areas (MSA) and Consolidated Metropolitan Statistical Areas (CMSA) covered by EPACT, with additional information showing counties, is also available on the AFDC home page. For more detailed information on Executive Order 13031, call Lee Slezak, U.S. Department of Energy, at (202) 586-2335, or e-mail him at [Lee.Slezak@hq.doe.gov](mailto:Lee.Slezak@hq.doe.gov).